



House of Representatives

File No. 634

General Assembly

February Session, 2012

(Reprint of File No. 42)

House Bill No. 5248
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
May 4, 2012

AN ACT CONCERNING FOAMED-IN-PLACE INSULATING MATERIAL.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 29-277 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 [(a) Urea-formaldehyde (UF) foamed-in-place insulation, also
4 referred to as formaldehyde-based insulation, means any cellular
5 plastic thermal material which contains as a component chemical
6 formaldehyde, formaldehyde polymers, formaldehyde derivatives and
7 any other chemical from which formaldehyde can be released, but
8 does not mean urethane foam insulation or styrene foam insulation.

9 (b) Urea-formaldehyde foamed-in-place insulation shall not be
10 installed in any building or structure on or after June 1, 1981.]

11 (a) Foamed-in-place insulating material shall not be sold or installed
12 in this state on or after the effective date of this section unless the
13 manufacturer or supplier has certified to the Commissioner of
14 Construction Services that the material complies with the provisions of

15 this section.

16 (b) Such certification shall contain the following information:

17 (1) The name of the manufacturer;

18 (2) A description of the type of insulating material being certified in
19 sufficient detail to permit its identification, which description may
20 include information sheets, brochures, a sample label for the product
21 or similar information;

22 (3) A statement that the insulating material is not a urea-
23 formaldehyde foamed-in-place insulation material. As used in this
24 subdivision, "urea-formaldehyde foamed-in-place insulation material"
25 means a cellular plastic insulation material generated in a continuous
26 stream by mixing the components which consist of a urea-
27 formaldehyde based resin, air and a foaming agent;

28 (4) Test results from a laboratory approved by the Commissioner of
29 Construction Services certifying that the cured insulating material
30 meets indoor air quality emissions standards of the GREENGUARD
31 Environmental Institute in accordance with any of the following
32 programs or methods:

33 (A) Tests conducted using an ASTM D6007 modified test method;

34 (B) GREENGUARD Environmental Institute Formaldehyde Free
35 Verification Requirements; or

36 (C) CAN/ULC-S774-09 Standard Laboratory Guide for the
37 Determination of Volatile Organic Compound Emissions from
38 Polyurethane Foam;

39 (5) A description of the quality assurance program used by the
40 manufacturer or supplier, including the manufacturer's or supplier's
41 training program for installers of the insulating material; and

42 (6) A statement under oath that the insulating material complies

43 with the requirements of this subsection.

44 (c) Any person who violates any provision of this section shall be
45 fined not more than five hundred dollars for the first offense and for
46 each subsequent offense shall be fined not more than one thousand
47 dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	29-277

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill makes changes to the statutory section regulating the use of foamed-in-place insulating material. This is not expected to result in a fiscal impact to the Department of Construction Services or a revenue impact related to the fine imposed by the section.

House "A" strikes the original bill and has the fiscal impact indicated above.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**HB 5248 (as amended by House "A")******AN ACT CONCERNING THE PROHIBITION ON THE USE OF UREA-FORMALDEHYDE INSULATION.*****SUMMARY:**

Current law bans urea-formaldehyde foamed-in-place insulation (UFFI), except for urethane or styrene foam insulation.

This bill (1) restricts the sale and use of all types of foamed-in-place insulating material unless the manufacturer or supplier certifies to the construction services commissioner that the material complies with the bill's specifications and (2) replaces the broad definition of UFFI with a narrower definition that excludes formaldehyde polymers and derivatives. The bill does not define foamed-in-place insulating material, other than UFFI material.

The certification to the commissioner must include (1) a statement that the insulating material is not a UFFI material and has met allowable emissions standards under specified tests and (2) a statement under oath that the material complies with the bill. As under current law, a first violation of the bill is punishable by a fine of up to \$500 and a subsequent violation by a fine of up to \$1,000. (Under another law, which this bill does not change, making a false statement under oath is a class A misdemeanor, punishable by up to one year in prison, up to a \$ 2,000 fine, or both (CGS § 53a-157b).

*House Amendment "A" changes the effective date from October 1, 2012 to upon passage and adds the certification provision.

EFFECTIVE DATE: Upon passage

FOAMED-IN-PLACE INSULATION

Definition

The law bans UFFI installation. Under current law, "UFFI" means cellular plastic thermal material, irrespective of how generated, containing chemical formaldehyde, formaldehyde polymers or derivatives, or other chemicals that can release formaldehyde. It does not include urethane foam insulation or styrene foam insulation.

The bill replaces this definition of UFFI with a narrower one that excludes references to formaldehyde polymers and derivatives and formaldehyde releasing chemicals. Under the bill, "UFFI insulation material" means "a cellular plastic insulation material generated in a continuous stream by mixing a urea-formaldehyde based resin, air, and a foaming agent." It is unclear if urethane and styrene foam insulation continues to be exempt under this definition.

Certification

The bill prohibits the sale or installation of foamed-in-place insulating material in any building unless the manufacturer or supplier certifies to the construction services commissioner that the material meets certain specifications. The certification must contain the following information:

1. the manufacturer's name;
2. a description of the type of insulating material being certified in sufficient detail to permit its identification, which description may include information sheets, brochures, a sample label for the product, or similar information;
3. a statement that the insulating material is not a UFFI material;
4. test results from a laboratory approved by the commissioner certifying that the cured insulating material meets indoor air quality emissions standards of the GREENGUARD Environmental Institute in accordance with (a) tests conducted using an ASTM D6007 modified test method; (b)

GREENGUARD Environmental Institute Formaldehyde Free Verification Requirements; or (c) the CAN/ULC-S774-09 Standard Laboratory Guide for the Determination of Volatile Organic Compound Emissions from Polyurethane Foam.

5. a description of the quality assurance program used by the manufacturer or supplier, including the manufacturer's or supplier's training program for installers of the insulating material; and
6. a statement under oath that the insulating material complies with the bill.

BACKGROUND

Urea Formaldehyde Foamed-in-Place Insulation

UFFI consists of urea, formaldehyde, and a surfactant or foaming agent. At an installation site, the urea-formaldehyde resin and foaming agent are combined with air. It is then injected inside the walls, where it hardens and acts as insulation.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable

Yea 21 Nay 0 (03/01/2012)